

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN MICHAEL LASPISA,

Plaintiff,

v.

1:19-CV-0228
(GTS/DJS)

CITIFINANCIAL COMPANY; CARRINGTON
MORTGAGE SERVICES; DOES 1 TO 20;

Defendants.

APPEARANCES:

OF COUNSEL:

JOHN MICHAEL LASPISA
Plaintiff, *Pro Se*
166 Ballston Avenue
Ballston Spa, New York 12020

GLENN T. SUDDABY, Chief United States District Judge

DECISION and ORDER

Currently before the Court, in this *pro se* real property foreclosure action filed by John Michael Laspisa (“Plaintiff”) against CitiFinancial Company, Carrington Mortgage Services, and Does 1 to 20 (“Defendants”), is United States Magistrate Judge Daniel J. Stewart’s Report-Recommendation recommending that this action be dismissed unless Plaintiff pays the required filing fee of \$400.00 within thirty (30) days of the date of this Decision and Order. (Dkt. No. 7.) Plaintiff has not filed an objection to the Report-Recommendation, and the deadline in which to do so has expired. (*See generally* Docket Sheet.)

After carefully reviewing the relevant papers herein, including Magistrate Judge Stewart’s thorough Report-Recommendation, the Court can find no clear error in the Report-

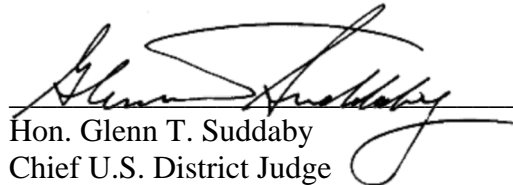
Recommendation:¹ Magistrate Judge Stewart employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. As a result, the Report-Recommendation is accepted and adopted in its entirety, and Plaintiff's Complaint shall be dismissed in its entirety unless, within thirty (30) days of the date of this Decision and Order, he pays the required filing fee of \$400.00.

ACCORDINGLY, it is

ORDERED that Magistrate Judge Stewart's Report-Recommendation (Dkt. No. 7) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that Plaintiff's Complaint (Dkt. No. 1) shall be **DISMISSED** without further Order of the Court unless, within **THIRTY (30) DAYS** of the date of this Decision and Order, he pays the required filing fee of **FOUR HUNDRED DOLLARS (\$400.00)**.

Dated: June 27, 2019
Syracuse, NY


Hon. Glenn T. Suddaby
Chief U.S. District Judge

¹ When no objection is made to a report-recommendation, the Court subjects that report-recommendation to only a clear error review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. When performing such a "clear error" review, "the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Id.*; see also *Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at *1 (S.D.N.Y. July 31, 1995) (Sotomayor, J.) ("I am permitted to adopt those sections of [a magistrate judge's] report to which no specific objection is made, so long as those sections are not facially erroneous.") (internal quotation marks omitted).